

## CRIMINAL COMPLAINT

FILED \_\_\_\_\_ LODGED \_\_\_\_\_

<b>United States District Court</b>  <b>United States of America</b> v. Jaime MARTINEZ-Garcia Year of Birth: 1984 A087 451 064 Citizen of: Mexico BP Case Control #: TCA-0905-1350	DISTRICT OF ARIZONA	RECEIVED _____ COPY _____
	DOCKET NO.	<div style="border: 1px solid black; padding: 5px; text-align: center;"> MAY 26 2009 </div>
	MAGISTRATE'S CASE N BY	CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA DEPUTY  09-09245M

**Complaint for violation of Title 8 United States Code § 1326**

## COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:

On or about May 23, 2009, at or near Nogales, Arizona, in the District of Arizona, Jaime MARTINEZ-Garcia, an alien, entered, and was found in the United States of America after having been denied admission, excluded, deported, and removed from the United States through Nogales, AZ on May 20, 2009, and not having obtained the express consent of the Attorney General or the Secretary of DHS to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326, enhanced by Title 8, United States Code, Section 1326 (b) (1).

## BASIS OF COMPLAINANTS CHARGE AGAINST THE ACCUSED:

Jaime MARTINEZ-Garcia is a citizen of Mexico. On May 20, 2009, Jaime MARTINEZ-Garcia was lawfully denied admission, excluded, deported, and removed from the United States through Nogales, AZ. On May 23, 2009, agents found MARTINEZ-Garcia in the United States at or near Nogales, Arizona. MARTINEZ-Garcia did not obtain the express consent of the Attorney General or the Secretary of DHS to re-apply for admission to the United States.

## MATERIAL WITNESSES IN RELATION TO THIS CHARGE

Border Patrol Agent(s) **Frank Novotny**

AUTHORIZED BY AUSA  
DETENTION REQUESTED

Being duly sworn, I declare that the foregoing is true  
and correct to the best of my knowledge.

SIGNATURE OF COMPLAINANT (official title)

OFFICIAL TITLE

Senior Patrol Agent

Sworn to before me and subscribed in my presence

SIGNATURE OF MAGISTRATE (1)

DATE

May 26, 2009

1) See Federal Rules of Criminal Procedure rules 3 and 54.